

REMARKS

Amendments to claims 1, 9, 29, and 35 are for the purpose of clarifying what Applicant regards as the invention. No new matter has been added.

I. CLAIM REJECTIONS UNDER U.S.C. § 102

Claims 1, 2, 7-9, 11, 13-17, and 46 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,841,833 (Mazess). Claim 1 has been amended to recite that two of the first imaging elements made from the first scintillating material are located side-by-side to form a first row, and two of the second imaging elements made from the second scintillating material are located side-by-side to form a second row. Claim 9 has been amended to recite that two of the first conversion elements made from the first material are located side-by-side to form a first row, and two of the second conversion elements made from the second material are located side-by-side to form a second row. Applicant respectfully submits that the amendments to claims 1 and 9 render the § 102 rejection with respect to Mazess moot. In case there is any doubt regarding the patentability of claims 1 and 9 with respect to Mazess, Applicant respectfully notes that Mazess discloses imaging elements 37(a), none of which are arranged side-by-side with another one that forms a row (figure 21). The same is true for imaging elements 37(b). Thus, claims 1 and 9, and their respective dependent claims, are believed allowable over Mazess.

Claims 29, 31, 32, 34, 35, 37, and 38 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0191751 (Bogatu). Claim 29 has been amended to recite a photoconductor layer aligned with the first and the second filters, wherein the first and second filters are *physically coupled* to the photoconductor (Emphasis Added). Claim 35 has been amended to recite a conversion layer aligned with the first and the second filters, wherein the first and second filters are *physically coupled* to the conversion layer (Emphasis Added). Bogatu does not disclose or suggest the above limitations. For at least the foregoing reason, claims 29 and 35, and their respective dependent claims, are believed allowable over Bogatu.

II. CLAIM REJECTIONS UNDER U.S.C. § 103

Claims 4, 5, 18-23, 25-28, 41, 45, and 47-55 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bogatu in view of Barnes.

Claims 18, 41, and 52

Claim 18 recites that the plurality of first photoconductor elements and the plurality of second photoconductor elements *form a surface* (Emphasis Added). Claim 41 recites that the plurality of first imaging elements and the plurality of second imaging elements *form a surface* (Emphasis Added). Claim 52 recites a plurality of first imaging elements made from a first photoconductor that has a first radiation detection characteristic, and a plurality of second imaging elements made from a second photoconductor that has a second radiation detection characteristic, wherein one of the plurality of first imaging elements and one of the plurality of second imaging elements are *arranged side-by-side* (Emphasis Added).

Applicant agrees with the Examiner that Bogatu does not disclose or suggest first and second photoconductor elements. According to the Office Action, Barnes discloses different semiconductor materials, and therefore, it would have been allegedly obvious to modify Bogatu to include different semiconductors as that taught by Barnes to improve detection accuracy and sensitivity. Also, according to the Advisory Action, the different detector elements in Barnes are used to modify Bogatus' detector to include multiple photoconductors in the same layer. However, Applicant respectfully notes that Barnes specifically teaches providing two layers of detector elements (i.e., to form a "front and rear" configuration - see column 11, line 52, and figure 2) so that low energy is absorbed by the first layer, and high energy is transmitted through the first layer and absorbed by the second layer (column 4, line 67 to column 5, line 4). Thus, in view of the specific teaching of Barnes that require layer 28 be behind layer 26, one of ordinary skill in the art would not use Barnes to modify Bogatu by selecting a material from the first layer 26 of Barnes, and selecting a second material from another layer 28 of Barnes, and placing them on the same layer 22' of Bogatu. For at least the foregoing reasons, claims 18, 41, and 52, and their respective dependent claims, are believed allowable over Bogatu, Barnes, and their combination.

CONCLUSION

Based on the foregoing, all claims are believed in condition for allowance. If the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the number listed below.

Applicant(s) hereby explicitly retracts and rescinds any and all of the arguments and disclaimers presented to distinguish the prior art of record during the prosecution of all parent and related application(s)/patent(s), and respectfully requests that the Examiner re-visit the prior art that such arguments and disclaimers were made to avoid.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. 50-4047, referencing billing number **7036492003**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-4047, referencing billing number **7036492003**.

Respectfully submitted,

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